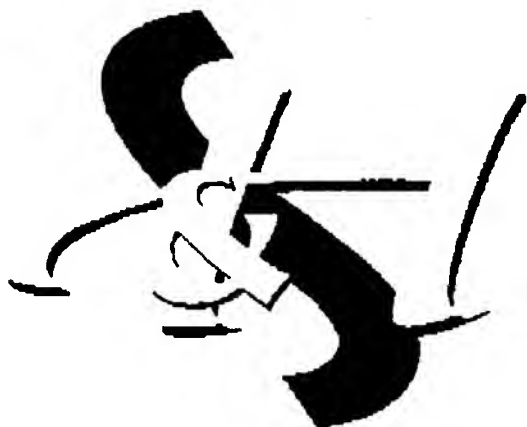


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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Molly L. Sauter
Attn:	Jon P. Weber, Ph.D - Art Unit 1651	Client:	1372.155.UTL
Fax:	(703) 872-9306	Pages:	4 including coversheet
Phone:	(703) 308-4015	Date:	January 6, 2004
Re:	USPN 10/058,458	CC:	University of South Florida (Assignee)
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

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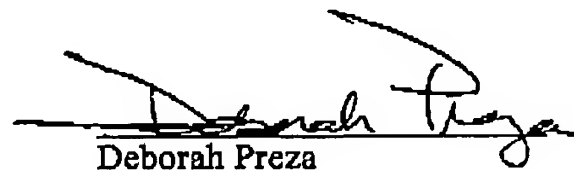
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CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1651, Attn: Jon P. Weber, (703) 872-9306 on January 6, 2004.

Dated: January 6, 2004

  
Deborah Preza

Practitioner's Docket No.: 1372.155.UTL

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark J. Jaroszeski )

Serial No.: 10/058,458 )

Filed: 01/28/2002 )

For: Electrofusion Chamber )

Art Unit: 1651  
Examiner: Weber, Jon P.  
Confirmation No.: 4223

Faxed to Technology Center 1600 at (703) 872-9306  
Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

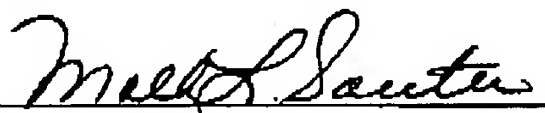
1. Transmitted herewith is a Response to Election/Restriction Requirement for this application.

**STATUS**

2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

  
SIGNATURE OF PRACTITIONER  
Molly L. Sauter  
Smith & Hopen, P.A.  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760  
(727) 507-8558

Reg. No.: 46,457  
Customer No.: 21,901

**CERTIFICATE OF FACSIMILE TRANSMISSION**  
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1600, Attn: Jon P. Weber, (703) 872-9306 on January 6, 2004.

Dated: January 6, 2004

  
Deborah Preza

(Amendment Transmittal—page 1)

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Practitioner's Docket No.: 1372.155.UTL

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark J. Jaroszeski )

Serial No.: 10/058,458 )

Art Unit: 1651

Filed: 01/28/2002 )

Examiner: Weber, Jon P.

For: ELECTROFUSION CHAMBER )

Faxed to Technology Center 1600 at (703) 872-9306  
Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexander, VA 22313-1450

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed 12/12/2003, having a shortened statutory period for response set to expire 1/12/2004 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute claims 10-16 of Group I, drawn to an apparatus for effecting cell fusion, classified in class 204, subclass 547 and class 435, subclass 285.2. This election is made without traverse.

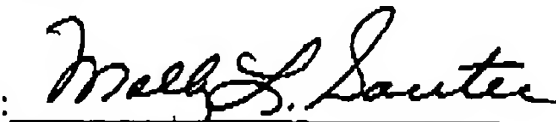
REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH &amp; HOPEN

By:



Dated: January 6, 2004

Molly L. Sauter  
Suite 220  
15950 Bay Vista Drive  
Clearwater, FL 33760  
(727) 507-8558  
Attorneys for Applicant

pc: University of South Florida